

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FLEX MARKETING GROUP, LLC,

:

Plaintiff,

:

ORDER

:

22 Civ. 6179 (AT) (GWG)

-v.-

:

JOSHUA LAPIN,

:

:

Defendant.

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GABRIEL W. GORENSTEIN, United States Magistrate Judge

Defendant’s application filed on August 24, 2022 (Docket # 16) is denied inasmuch as this filing does not articulate a sufficient and non-speculative need for conducting discovery prior to the deadline for a Rule 26(f) conference. Furthermore, in an effort to ensure that discovery is conducted in this case in an orderly manner and without undue burden to non-parties, the Court orders that no discovery of non-parties shall take place until the Court gives permission to the parties to do so. The Court will address this issue in a scheduling order following a conference that will be held pursuant to Rule 16. The Court is issuing a separate order scheduling the Rule 16 conference.

In light of the above, the Clerk shall not issue subpoenas, and no attorney shall sign a subpoena, until further Order of the Court.

The Court is aware of a number of subpoenas that were requested by the defendant on August 24, 2022, and that have presumably already been mailed to plaintiff by the Clerk. Each of these subpoenas is vacated and deemed void. For any subpoena not already served, plaintiff is directed to write the word “VOID” on each subpoena in large letters covering at least half the first page and is ordered not to serve these subpoenas on any party. If and when the Court permits discovery of non-parties and authorizes any of the subpoenaed entities to be subject to such discovery, plaintiff will be given the opportunity to seek new subpoenas. If any subpoena has already been served, plaintiff is directed to immediately inform the subpoenaed party that the subpoena is void and to provide a copy of this Order to that entity.

Finally, the Clerk is directed to list the following address on the docket sheet as the address of defendant and to mail a copy of this Order to him:

Joshua Lapin
401 E 8th St STE 214
PMB 7452
Sioux Falls, SD 57103

SO ORDERED.

Dated: August 26, 2022
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge